

**CITY OF MENASHA**  
**Common Council**  
**City Hall-140 Main St.-Council Chambers-3rd Floor**  
August 4, 2008

**MINUTES**

 + [Back](#)  [Print](#)

**1. CALL TO ORDER**

Meeting called to order by Mayor Merkes at 8:05 p.m.

**2. PLEDGE OF ALLEGIANCE**

**A. [Pledge of Allegiance](#)**

**3. ROLL CALL/EXCUSED ABSENCES**

**A. [Roll call](#)**

PRESENT: Ald. Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Pamenter, Taylor

EXCUSED: Ald. Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Lt. Bouchard, DPW Radtke, CDD Keil, AP Beckendorf, PRD Tungate, C/T Stoffel, Clerk Galeazzi, and the Press.

DEPT. HEAD EXCUSED: PHD Nett

**4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE**

**Minutes to approve:**

**A. [Common Council, 7/21/08](#)**

**B. [Special Session Common Council, 7/23/08](#)**

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to approve minutes A&B

Motion Carried on voice vote

Results:

**Minutes to receive:**

**C. [Administration Committee, 7/21/08](#)**

**D. [Board of Public Works, 7/21/08](#)**

**E. [Library Board, 7/17/08](#)**

**F. [NM Fire-Rescue, 7/22/08; Finance & Personnel Committee](#)**

**G. [N-M Sewerage Commission, 6/24/08](#)**

- H. [NM Fire-Rescue, 7/23/08; Joint Fire Commission](#)
- I. [Plan Commission, 7/22/08](#)
- J. [Police Commission, 7/17/08](#)
- K. [Safety Committee, 6/4/08; City Hall](#)
- L. [Safety Committee, 6/24/08; Public Works and Parks](#)
- M. [Safety Committee, 5/15/08; Police](#)

**Communications:**

- A. [Cities and Villages Mutual Insurance Company, 6/24/08; Work Site Activity Observation Sheet for City of Menasha](#)
- B. [Paul Konetzke to Plan Commission, 6/20/08; Comments/request for changes to Comprehensive Plan](#)
- C. [RR Donnelley, 7/08; Residential Electronics Recycling Event Information](#)
- D. [Senior Center, 7/28/08; Thank you letter to Evie Sturn family for donation](#)
- E. [Winnebago County, 7/28/08; Notice of commencement of proceedings in regards to foreclose tax liens at said properties: 428 6th St., 800 De Pere St., 508 Olde Midway Rd., 740 Broad St.](#)
- F. [Wisconsin Dept. of Commerce, 7/29/08; CDBG grant recipient](#)
- G. [Wis. DOT, 6/18/08; Notice of intent to reissue a WI pollutant discharge elimination system permit to Pechiney Plastic Packaging](#)
- H. [Wisconsin Public Finance Professionals, LLC, 7/24/08; Update and new contact information for Carol Wirth and others.](#)

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to accept Minutes to Receive C-M and Communications A-H

Discussion: Ald. Taylor-Comm. #C, RR Donnelly electronics recycling event; Comm. #F, DOC Planning Grant recipient. CDD Keil explained the grant will be used to prepare the documents to apply for Brownfield Grant.

Motion Carried on voice vote  
Results:

**5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY**

**Five (5) minute time limit for each person**

- A. [PUBLIC HEARING- Special Use Permit Application for 1285 Appleton Rd. \(John Lindsay, III\) to allow operation of a used vehicle sales business.](#)

No one spoke

- B. [PUBLIC HEARING-Rezoning of Lot 10 of Province Terrace plat \(1173 Province Terrace\) from R-2 Two Family Residential to C-3 Business and Office District.](#)

No one spoke

- C. [Public comments on matters of concern to the City](#)

1. Stan Sevenich, 645 9th Street. Oppose Settlement Agreement with PCI.
2. Ken Kubiak, 1214 Fieldview. Questions on Lots 10 & 15 Province Terrace; Settlement Agreement with PCI.
3. Jeff Riedl, 408 Appleton Street. K-9 Corp event on July 26.

## 6. APPOINTMENTS

- A. [None](#)

## 7. CLAIMS AGAINST THE CITY

- A. [None](#)

## 8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. [None](#)

## 9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

### A. Plan Commission:

1. [7/22/08; Recommends denial of the special use permit applicaiton of Don Verkuilen to operate a kennel at 2889 Manitowoc Road based on the findings that: 1\) A special use permit procedure was not the proper procedure. 2\) The use of a kennel is incompatible with the surrounding uses because of the potential for breeding and closeness to neighboring properties.](#)

Mayor Merkes reported Mr. Verkuilen requested this item be removed from the agenda.

Moved by Alderman Michalkiewicz, seconded by Alderman Wisneski to table item

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

2. [7/22/08; Recommends approval of the rezoning of parcel #7-01-10 from R-2 to C-3.](#)

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve rezoning

Motion Carried on voice vote

Results:

3. [7/22/08; Recommends approval of the special use permit application of John F. Lindsay III based on the conclusion that the proposed use is appropriate for the lot and neighborhood and with the following conditions: 1\) Existing rooftop lights must not be used. 2\) Three additional shrubs per front setback area must be added, for a total of 12 shrubs. 3\) The owner must work with staff on the addition of a planting island adjacent to the west side of the building. 4\) All vehicles stored outside must be in driving condition. 5\) There is to be no outdoor storage of equipment, parts or materials. 6\) The existing pole sign must be removed.](#)

Moved by Alderman Wisneski, seconded by Alderman Pack to approve w/ Conditions Special Use Permit

Motion Carried on voice vote

Results:

4. [7/22/08; Recommends approval of the extraterritorial CSM on Tayco Road in the Town of Menasha.](#)

Moved by Alderman Wisneski, seconded by Alderman Pack to approve recommendation

Motion Carried on voice vote

Results:

**B. Administration Committee:**

1. [CVMIC Dividend Payment Option](#)

Moved by Alderman Wisneski, seconded by Alderman Pack to accept Option #1

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

2. [Termination of Offer to Purchase, Lot 10 Province Terrace \(No action necessary\)](#)

No action necessary

3. [Offer to Purchase, Lot 15 Province Terrace, Wiegert Enterprises, LLC.](#)

Moved by Alderman Wisneski, seconded by Alderman Pack to accept Offer to Purchase

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

4. [Accounts payable and payroll 7/24/08-7/31/08 in the amount of \\$1,094,110.58](#)

Moved by Alderman Wisneski, seconded by Alderman Pack to approve Accounts Payable and Payroll

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

**C. Board of Public Works:**

1. [Street Use Application - St. Mary Central High Homecoming Parade; Friday, September 26, 2008; 5:00 PM - 5:45 PM](#)

Moved by Alderman Pack, seconded by Alderman Taylor to approve Street Use Application

Motion Carried on voice vote

Results:

**2. Street Use Application - Menasha High School Homecoming Parade; Friday, September 26, 2008; 5:30 PM - 6:15 PM**

Moved by Alderman Pack, seconded by Alderman Taylor to approve Street Use Application

Motion Carried on voice vote

Results:

**3. Payment - Badger Highways Co., Inc.; New Street Construction/Street Reconstruction; Contract Unit No. 2008-01; \$180,457.25 (Payment No. 2)**

Moved by Alderman Pack, seconded by Alderman Wisneski to approve payment

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

**4. Recommendation to Establish Tire Disposal Fees**

Held in Board of Public Works

**10. ORDINANCES AND RESOLUTIONS**

**A. O-12-08 - An Ordinance Relating to Destruction of City Property (Ald. Wisneski)**

Moved by Alderman Wisneski, seconded by Alderman Hendricks to adopt O-12-08

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

**B. O-13-08-An Ordinance Relating to Landmarks Commission (Ald. Pamerter-Recommendation of Landmarks Commission)**

Moved by Alderman Wisneski, seconded by Alderman Pamerter to adopt O-13-08

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

**C. O-14 -08 An Ordinance Relating to Yield Signs on Applewood Drive at Southfield Drive and on Sweetbriar Lane at Southfield Drive**

No Action

**D. O-15 -08 An Ordinance Relating to Tire Disposal**

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to suspend the rules and take up O-15-08 at this time

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

Moved by Alderman Wisneski, seconded by Alderman Pack to adopt O-15-08

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

**E. [O-16-08 - An Ordinance to Adopt the City of Menasha Year 2030 Comprehensive Plan](#)**

No Action

**F. [O-17-08 An Ordinance Amending Title 13 by Making Certain Changes in the District \(Parcel #7-01-10 Rezoning\)](#)**

Moved by Alderman Wisneski, seconded by Alderman Pack to adopt O-17-08

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Michalkiewicz , Pack , Pamerter , Taylor , Wisneski , (7)  
Zelinski

**11. HELD OVER BUSINESS**

**A. [Street Use Application- St. Joseph's Food Pantry Run/Walk; Saturday, November 1, 2008; 8:45 AM-10:00 AM \(Pacesetter's of the Fox Cities\) \(Held 7/21/08\)](#)**

Moved by Alderman Pack, seconded by Alderman Taylor to approve Street Use Application

Motion Carried on voice vote

Results:

**B. [Street Use Application- Grunski Runski; 10K and 2 Mile Run/Walk; Saturday, August 9, 2008; 8:30 AM-10:30 AM; \(City of Menasha Parks and Recreation Department\)\(Held 7/21/08\)](#)**

Moved by Alderman Pack, seconded by Alderman Taylor to approve Street Use Application

Motion Carried on voice vote

Results:

**C. [Solicitation of Interest in a Potential Solid Waste Management Board Ban of Computers/Electronics at the Winnebago County Landfill \(Held 7/21/08\)](#)**

Moved by Alderman Pack, seconded by Alderman Wisneski to approve Solicitation of Interest

Motion Carried on voice vote  
Results:

**D. [Motion to remove from the table - Solicitation of Interest in a Consolidated Procurement of Carts for Single Stream Recycling by the Winnebago County Solid Waste Management Board \(Ald. Hendricks\)](#)**

Moved by Alderman Hendricks, seconded by Alderman Pack to remove from the table Solicitation of Interest

Motion Carried on voice vote  
Results:

Moved by Alderman Hendricks, seconded by Alderman Wisneski to approve Solicitation of Interest and indicate to the County we are not able to commit to the purchase of any carts, but we are interested in pursuing this in the future after we have had time to assess the budget impact of cart and equipment purchases

Motion Carried on voice vote  
Results:

**12. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)**

**A. [Public comments on matters pertaining to the agenda](#)**

No one spoke

**13. ADJOURNMENT**

**A. [Adjournment](#)**

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to adjourn at 8:41 p.m.

Motion Carried on voice vote  
Results:

Respectfully submitted by Deborah A. Galeazzi, City Clerk